

**A MEETING OF THE TOWN OF TELLURIDE PLANNING
AND ZONING COMMISSION CHAIRPERSON**

October 17, 2014

FRIDAY 2:15 PM

**REBEKAH HALL, TELLURIDE, CO
113 WEST COLUMBIA AVENUE**

I. CALL TO ORDER (2:15 PM)

II. ACTION ITEMS

1. PROJECT TITLE: Myers Residence – Replat

Summary: Consideration of a minor scale subdivision at 532 W. Colorado per LUC section 6-403.B to vacate interior lot lines. *Continued from the 9/19/2014 regular P&Z Chair meeting.*

Legal description: Block 8, East ½ Lot 31, Lot 32, West ½ Lot 33, West Telluride Addition (WTA)

Address: 532 West Colorado Avenue

Zone: Historic Residential (HR)

Owner(s): Chris Myers

Applicant: Ray Messier & Chris Myers

Staff: Ann Morgenthaler, Planner II

2. PROJECT TITLE Henry Residence - Replat

SUMMARY: Consideration of a minor scale subdivision at Block 29, Lots I & J per LUC section 6-403.B to combine two conforming lots, creating one 6,279 square feet lot.

Legal description: Block 29, Lots I & J, Town of Telluride (TOT)

Address: Address to be determined.

Zone: Residential (R)

Owner(s): Jay and Pilar Henry

Applicant: Narcis Tudor Architects

Staff: Ann Morgenthaler, Planner II

III. ADJOURN

For more complete information on these applications or projects, please contact the Town of Telluride Planning Department at (970) 728-2170.

**A MEETING OF THE TOWN OF TELLURIDE PLANNING
AND ZONING COMMISSION CHAIRPERSON**

SEPTEMBER 19, 2014 FRIDAY 10:15 AM

**REBEKAH HALL, TELLURIDE, CO
113 WEST COLUMBIA AVENUE**

I. CALL TO ORDER

Chair Andrews called the meeting to order at 10:15 am.

Staff present: Bob Mather, Historic Preservation Architect
Ann Morgenthaler, Planner II
Deborah Gesmundo, Recording Secretary

II. ACTION ITEMS

1. **PROJECT TITLE:** 532 W. Colorado Minor Scale Subdivision (Replat) *Continue to the October 17, 2014 PZ Chair meeting at the request of the Applicant without discussion*
Summary: Consideration of a minor scale subdivision at 532 W. Colorado per LUC section 6-403.B to vacate interior lot lines
Legal description: Block 8, East ½ Lot 31, Lot 32, West ½ Lot 33, West Telluride Addition (WTA)
Address: 532 West Colorado Avenue
Zone: Historic Residential (HR)
Owner(s): Chris Myers
Applicant: Ray Messier & Chris Myers
Staff: Ann Morgenthaler, Planner II

Ann Morgenthaler, Planner II, introduced the matter on behalf of the Town, the applicant's request to continue their application to the October meeting. She also distributed a revised memo (Exhibit II.1a) to the Chair.

ACTION

Chair Andrews moved to continue the application for the project at 532 W Colorado to the October 17, 2014 P&Z Chair meeting.

III. ADJOURN

Chair Andrews adjourned the meeting at 10:17 am.

Respectfully submitted,

Deborah Gesmundo
Boards and Commissions Secretary



TO: Historic and Architectural Review Commission ("HARC") Chair and the Planning and Zoning Commission ("P & Z") Chair
FROM: Ann Morgenthaler, Planner II
DATE: October 6, 2014
FOR: October 17, 2014 Review and Recommendation by the HARC Chair to the P & Z Chair
and
October 17, 2014 P&Z Chair Review
RE: 532 W. Colorado Minor Scale Subdivision (Replat)

PROJECT TITLE: 532 W. Colorado Minor Scale Subdivision

DESCRIPTION OF REQUEST: Consideration of a Minor Scale Subdivision (Replat) per LUC Section 6-403.B to vacate interior lot lines. *Continued from the 9/19/2014 regular HARC Chair and P&Z Chair meetings.*

OWNER: Chris Myers

APPLICANT: Ray Messier & Chris Myers

ADDRESS: 532 W. Colorado

LEGAL DESCRIPTION: Block 8, Lots: East ½ Lot 31, Lot 32 & West ½ Lot 33, West Telluride Addition (WTA)

PREVIOUS ACTION:

- A HARC Chair approval on August 20, 2014 of a minor relocation of a non-rated (Non-contributing without qualifications) shed per LUC Section 7-203.C.9 from 223 S. Pine Street to 532 W. Colorado. The approval was conditioned on the submission of this PUD application, review and recommendation of this application by the HARC, and approval of the application by the P&Z.
- Review and Referral by HARC on October 15, 2015, and review by P&Z on October 16, 2014, of a Small Scale Preliminary PUD application that proposes to reduce the rear yard setback to 1' and allow an additional 3% site coverage for uncovered and covered parking.

LAND USE:

- **EXISTING USE:** Single Family Residence
- **ZONE DISTRICT:** Historic Residential (HR)
- **FLOOD HAZARD AREA:** Zone AO: 1 to 3 feet
- **GEOLOGIC HAZARD AREA:** Site is not located inside a geologic hazard area
- **WETLANDS AREA:** Site is not in a designated wetlands area
- **GROUNDWATER ZONE:** Zone 3

ARCHITECTURAL/HISTORIC:

- **TREATMENT AREA:** Historic Residential (HR)
- **TELLURIDE HISTORIC LANDMARK DISTRICT:** Inside the district
- **HISTORIC RATING:** Existing primary structure is a rated (Supporting) structure (THAS #1574). The shed that will be relocated to the property is a non-rated (Non-contributing without qualifications) structure (THAS#153).

RATED STRUCTURES IN THE IMMEDIATE VICINITY: There are many rated structures in the vicinity.

ATTACHMENTS:

- **Replat** submitted by applicant (1 sheet @ 11" x 17" size)
- **Improvement Survey Plat** submitted by applicant (1 sheet @ 11" x 17" size)
- **Letter from San Miguel Power Association** submitted by applicant

LAND USE CODE ANALYSIS:

	<u>Lot Area</u>	<u>Frontage + Width</u>
Required in HR Zone:	2,500 sq. ft. minimum	25 feet minimum
East ½ of Lot 31:	1,468.75 sq. ft.	12.5 feet
Lot 32:	2,937.50 sq. ft.	25 feet
West ½ of Lot 32:	1,468.75 sq. ft.	12.5 feet
New Lot 32R:	5,875 sq. ft.	50 feet

There is one existing primary structure on the lot(s). A shed will be added to the lot subject to conditions of the PUD application mentioned above in the Previous Action section and approval of this minor subdivision application.

BACKGROUND:

The subject lots are under single ownership and include one single family residence. The Applicant desires to relocate a non-rated secondary structure (shed) to the property, and submitted a PUD application to modify the rear yard setback and site coverage dimensions to accommodate the placement of the shed. Though the property operates as one lot, it is comprised of three lots. The East ½ of Lot 31 and West ½ of Lot 32 do not meet the minimum lot area, minimum frontage, and minimum width required in the HR Zone.

Section 6-304.A of the LUC requires that any limitation of the underlying zone district not explicitly varied, such as minimum lot area, frontage, and width in this instance, shall be applied to development approvals granted via the PUD process. This application proposes to vacate two property lines to create one lot, Lot 32R, that will comply with the minimum dimensional requirements for lots in the HR Zone.

CRITERIA FOR DECISION:

The provisions of the LUC require compliance with the following criteria:

1. Compliance with the applicable requirements of the Telluride Land Use Code.
2. Compliance with the Subdivision Regulations and the Subdivision Design Criteria contained in Section 6-408 of the LUC.
3. Compliance with the Streetscape Design Standards and construction specifications.
4. Consistency with the Telluride Master Plan

Minimum Application Content

The Applicant provided the minimum application content required by section 5-202.C.

Review and Referral

- The HARC Chair will provide a review and recommendation to the P & Z Chair at the meeting on October 17, 2014.
- Building Department: No comments.
- Public Works Department: No comments.
- General Public: No comments received at the time of this memo.

Public Notice

This item was properly noticed per LUC section 5-204.B.1. The Affidavit of posting is on file with the planning department.

STAFF ANALYSIS

Staff finds that in consideration of the existing residential development on the lot, and understanding that this minor subdivision application does not seek to change residential density, this application complies with the Subdivision Design Criteria listed in Section 6-408 of the LUC, except for Section 6-408.0, Electricity, Gas, and Telephone Lines. This section requires that all electricity, gas, and telephone lines be placed underground to preserve the natural character of the area. Electricity lines are currently present in the alley adjacent to the property and on the property of 532 W. Colorado. Given that this application was necessitated by a PUD application to accommodate the placement of a relocated secondary structure, and seeks to vacate interior lot lines only, the Town is amenable to deferring the requirement that utilities on the property and in the alley be placed underground.

STAFF RECOMMENDATION

The staff recommendation is contained in the proposed motions and is based upon the following findings:

Findings:

1. The application meets the applicable requirements, purpose, and intent of the Telluride Land Use Code.
2. The application is consistent with the Subdivision Regulations and the Subdivision Design Criteria contained in Section 6-408 of the LUC, *except* for Section 6-408.0, Electricity, Gas, and Telephone Lines.
3. The application is consistent with the Streetscape Design Standards and construction specifications.
4. The application is consistent with the Telluride Master Plan.

HARC Proposed Motion:

I move to recommend to the P & Z Chair approval of the 532 W. Colorado minor subdivision request to vacate interior property lines, with the findings contained in the staff memo of record and the following conditions:

- 1) *All electricity, gas, and telephone lines in the public right-of-way and on 532 W. Colorado shall be placed underground within 10 years of from the approval date of this application. This condition will be documented in an associated Subdivision Improvement Agreement.*
- 2) *Revise the final replat in accordance with redline revisions provided by Staff consistent with LUC section 6-407.*
- 3) *The final replat should be recorded concurrently or prior to the issuance of a building permit to relocate the non-rated secondary structure.*

This motion is based on evidence and testimony provided at a public hearing held on October 17, 2014, with notice of such hearing provided as required by the Telluride Land Use Code.

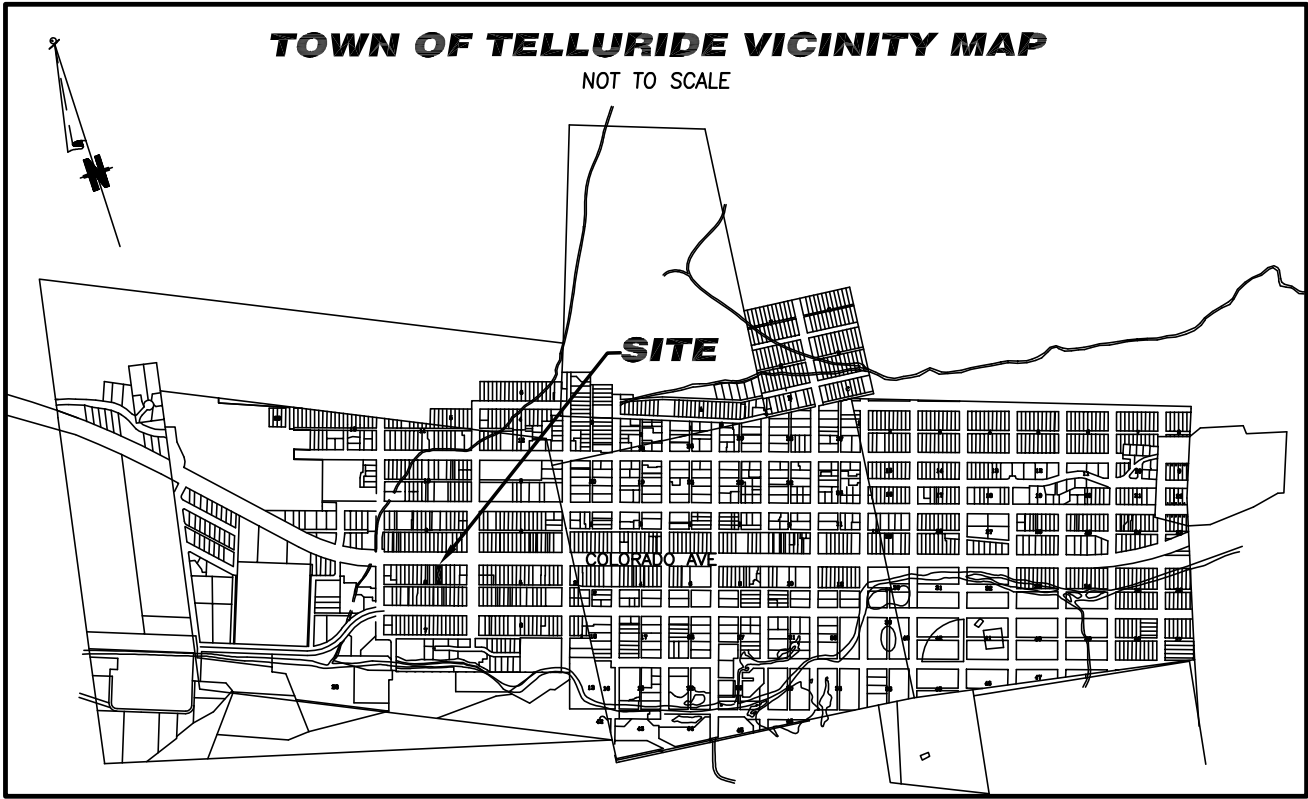
P & Z Proposed Motion:

I move to approve the 532 W. Colorado minor subdivision request to vacate interior property lines, with the findings contained in the staff memo of record and the following conditions:

- 1) All electricity, gas, and telephone lines in the public right-of-way and on 532 W. Colorado shall be placed underground within 10 years of from the approval date of this application. This condition will be documented in an associated Subdivision Improvement Agreement.*
- 2) Revise the final replat in accordance with redline revisions provided by Staff consistent with LUC section 6-407.*
- 3) The final replat should be recorded concurrently or prior to the issuance of a building permit to relocate the non-rated secondary structure.*

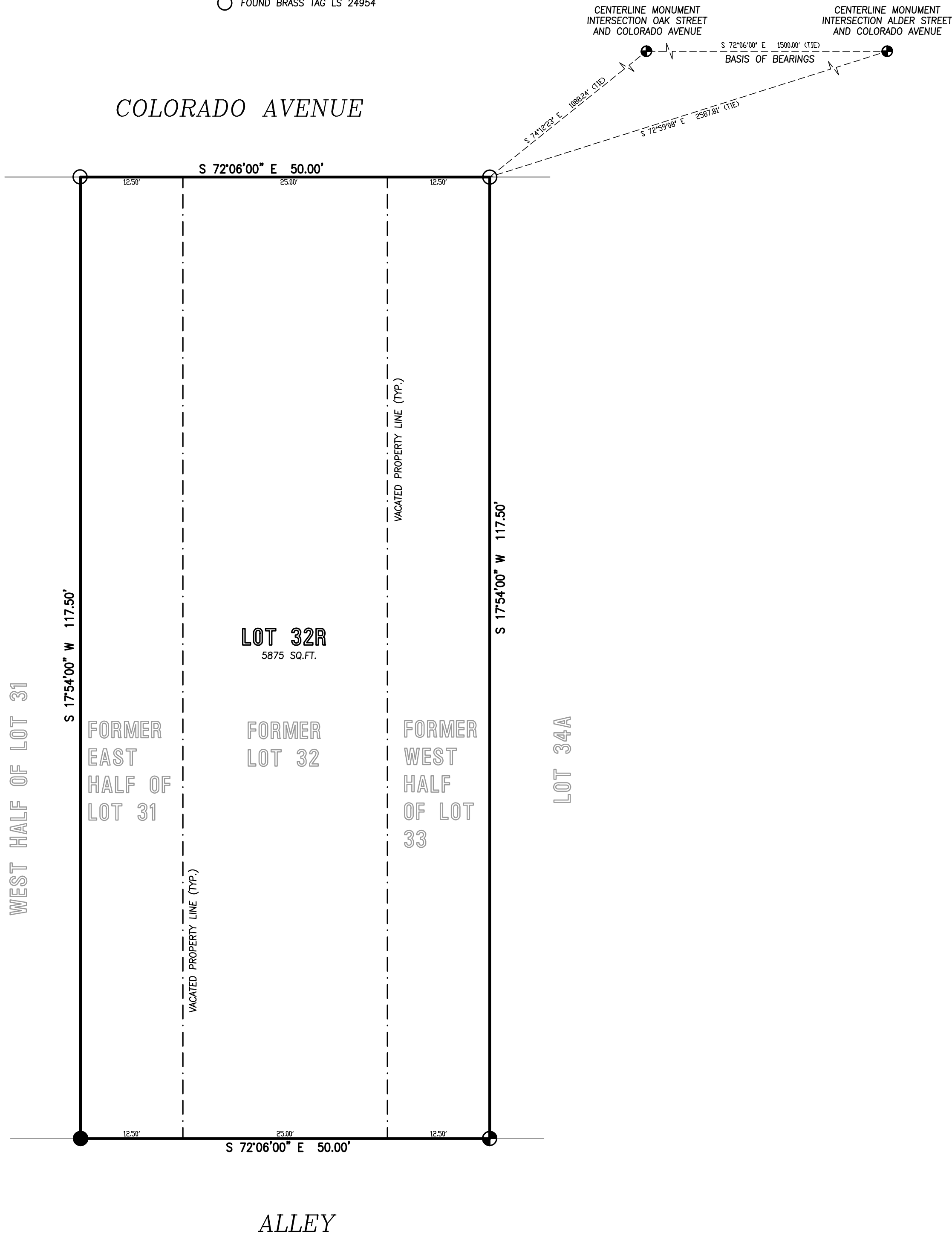
This motion is based on evidence and testimony provided at a public hearing held on October 17, 2014, with notice of such hearing provided as required by the Telluride Land Use Code.

Lot 32R, Block 8, West Telluride Addition to the Town of Telluride,
A Minor Subdivision to Vacate the Property Lines of the West 1/2 of Lot 33,
the East 1/2 of Lot 31, and Lot 32, Block 8, West Telluride Addition to the Town of Telluride,
located within Section 36, T.43N., R.9W., N.M.P.M., San Miguel County, Colorado



LEGEND

- FOUND REBAR WITH 1 1/2 INCH ALUMINUM CAP LS 37903
- ⊕ FOUND REBAR WITH 1 1/2 INCH ALUMINUM CAP LS 24954
- FOUND BRASS TAG LS 24954



DEDICATION:

Know all persons by these presents:

THAT CHRISTOPHER R. MYERS, being the owner of the land described as follows:

THE EAST HALF OF LOT 31, ALL OF LOT 32, AND THE WEST HALF OF LOT 33, BLOCK 8, WEST TELLURIDE ADDITION TO THE TOWN OF TELLURIDE, ACCORDING TO THE PLAT RECORDED JUNE 20, 1891 IN PLAT BOOK 28 AT PAGE 7, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

containing 5875 square feet more or less

under the name LOT 32R, BLOCK 8, WEST TELLURIDE ADDITION TO THE TOWN OF TELLURIDE has laid out, platted and subdivided same as shown on the plat, and by these presents do hereby dedicate to the perpetual use of the Town of Telluride, San Miguel County, Colorado, the streets, alleys, road and other public areas as shown hereon and hereby dedicate those portions of land labeled as utility easements for the installation and maintenance of public utilities as shown hereon.

In witness hereof the said owner has caused his name to be here unto subscribed this _____ day of _____, 20____.

By:

CHRISTOPHER R. MYERS

NOTARIAL

State of Colorado,)
County of San Miguel) ss

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by CHRISTOPHER R. MYERS

My commission expires _____
Witness my hand and official seal.

Notary Public

MORTGAGEE'S CONSENT:

The undersigned WELLS FARGO BANK, N.A., as a beneficiary of a deed of trust which constitutes a lien upon the declarants property, recorded at Reception No. 424287, San Miguel County Clerk and Recorder, hereby consents to subdivision of real property as depicted on this Plat and to the dedication of land to streets, alleys, roads and other public areas, as designated on this Plat, and hereby forever releases said lands from the lien created by said instrument.

Printed Name:

Date:

Address:

Signature:

Title:

NOTARIAL

State of)
County of) ss

The foregoing Mortgagee's consent was acknowledged before me this _____ day of _____, 20____, by _____ of as _____ of WELLS FARGO BANK, N.A.

My commission expires _____
Witness my hand and official seal.

Notary Public

LAND SURVEYOR'S CERTIFICATE:

I, David R. Bulson, being a Professional Land Surveyor in the State of Colorado, do hereby certify that this plat and survey of LOT 32R, BLOCK 8, WEST TELLURIDE ADDITION TO THE TOWN OF TELLURIDE, was made by me and under my direct responsibility, supervision and checking and that both are accurate to the best of my belief and knowledge. I further certify that all monuments and markers were set as required by the Town of Telluride Land Use Code and Articles 50 and 51 of Title 38, C.R.S.

Dated this _____ day of _____, A.D., 20____.

(Signature) _____ (Seal)
Colorado Registration Number _____

NOTES:

1. Approval of this plan shall create a vested property right pursuant to Article 68 of Title 24 C.R.S., as amended, subject to the limitations of Telluride Land Use Code Section 5-208.

2. Easement research by Land Title Guarantee Company, commitment number TLR86004200, dated 08-29-2014 at 17:00:00

3. The approval of this plat is subject to all terms, conditions, obligations and restrictions set forth in the Subdivision Improvements Agreement recorded in the San Miguel County Clerk and Recorder at Reception Number _____.

4. NOTES OF CLARIFICATION

a. The Configuration of the following lots, tracts, and right-of-way have been modified by this plat:
None

b. The following lots have been created by this plat:
Lot 32R

c. The following lots have been deleted by this plat:
Lot 32, East 1/2 Lot 31, West 1/2 Lot 33

5. SURVEY CONTROL NOTE. Boundary lines for this survey were projected from record dimensions onto a grid derived from that Survey of Colorado Avenue recorded in the County Surveyor's Land Plats, in Book 1 at Page 30.

6. BASIS OF BEARINGS. Bearing from brass cap monument at the intersection of Oak Street and Colorado Avenue, L.S. 24954, to the brass cap monument at the intersection of Alder Street and Colorado Avenue, L.S. 24954, assumed as the historic bearing of S 72°06'00" E.

7. NOTICE: According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

TITLE INSURANCE CERTIFICATE:

Land Title Guarantee Company, a Colorado licensed title company, does hereby certify that we have examined the title to the lands herein shown on this plat of LOT 32R, BLOCK 8, WEST TELLURIDE ADDITION TO THE TOWN OF TELLURIDE, and that the title to this land is in the name of Christopher R. Myers, and is free and clear of all liens, taxes and special assessments except as follows:

Title Insurance Company Representative

COUNTY TREASURER'S CERTIFICATE:

I certify that according to the records in the San Miguel County Treasurer's office, there are no liens against the property included in the subdivision, or any part thereof, for unpaid State, county or municipal ad valorem taxes or special assessments certified to the County Treasurer for collection.

County Treasurer _____ Date _____

PLANNING AND ZONING COMMISSION APPROVAL:

The Planning and Zoning Commission of Telluride, Colorado did hereby authorize and approve this plat of the above subdivision at a meeting of P&Z held on the _____ day of _____, A.D., 20____.

Chairperson _____

APPROVAL BY THE TOWN:

The within plat of LOT 32R, BLOCK 8, WEST TELLURIDE ADDITION TO THE TOWN OF TELLURIDE is authorized and approved for filing this _____ day of _____, 20____. The dedication of land and public ways shown hereon are accepted by the Town Council of the Town of Telluride, State of Colorado, subject to the condition that the Town shall undertake the maintenance of said public ways only after construction of said public ways has been satisfactorily completed to the Town's specifications by subdivider and a Resolution of the Telluride Town Council, Colorado accepting the same, has been adopted and placed on record.

Town of Telluride

BY: _____
Mayor

ATTEST: _____
Clerk

Approved: _____
Planning Director

Town Engineer _____

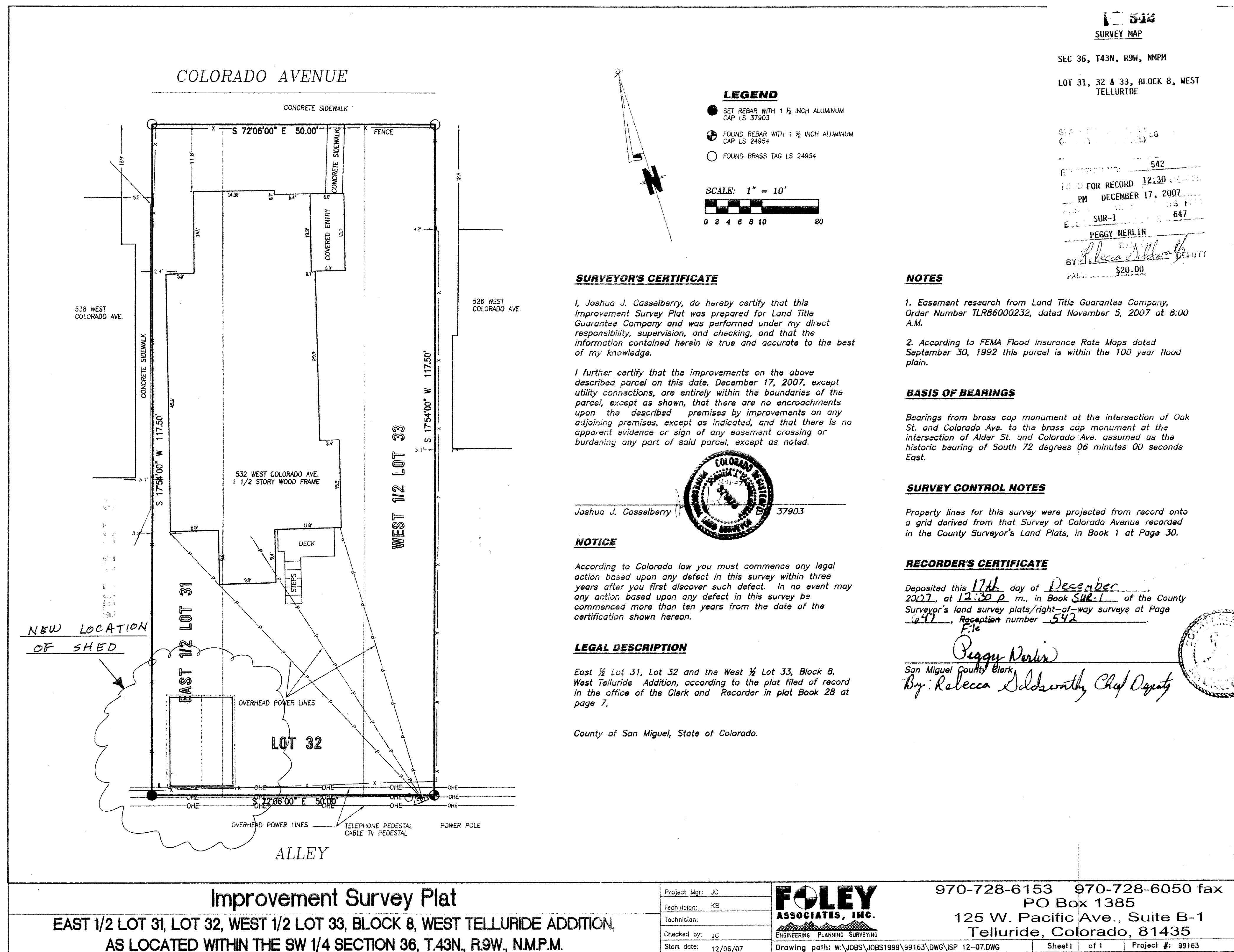
RECORDER'S CERTIFICATE:

This plat was filed for record in the office of the San Miguel County Clerk and Recorder on this _____ day of _____, 20____, at _____

Plat Book _____,
Page _____,
Reception No. _____,
Time _____.

San Miguel County Clerk _____

Project Mgr: DB	Rev.	description	date	by	FOLEY ASSOCIATES, INC. ENGINEERING · PLANNING · SURVEYING	970-728-6153 970-728-6050 fax P.O. BOX 1385 125 W. PACIFIC, SUITE B-1 TELLURIDE, COLORADO 81435
Technician: PPS						
Technician:						
Checked by:						
Start date: 09/03/2014						
Drawing path: dwg\REPLAT 9-3-14.dwg					Sheet1 of 1	Project #: 99163





SAN MIGUEL POWER ASSOCIATION, INC.

A Touchstone Energy Partner



Estimate of Deposit

Date: September 22, 2014

SMPA Service Order No

Name: Ray Messier

Project Address: 532 W. Colorado

JOB SUMMARY: Install secondary riser, wire, retire approximately 125' of overhead secondary wire

Project Requirements: N/A

Customer Responsibility: Payment of estimate, co-ordinate with SMPA crew

The customer is responsible for being aware of and following SMPA's construction specifications which can be found in the latest version of SMPA's "Construction Handbook."

<u>Estimated Construction Cost</u> (Matl and SMPA labor)	\$982.00
Facility Reinforcement Fee: for requested 200 Amp service	\$N/A
Transformer Fee	\$ N/A
CT Enclosure (services over 400 Amps –can also be purchased by electrician)	\$N/A
Other Costs or fees Deposit \$200 Connect Fee \$25	\$N/A
<u>Total Estimated Deposit Due</u>	\$982.00

(The estimated cost is only valid for 60 days from the date shown above.)

Please send or bring your deposit payment to your local SMPA office. Your local SMPA office also accepts payment by credit card.

Please be sure to reference the Project ID. No. on your payment.

SMPA can not accept lien waver checks

Materials will not be ordered and jobs will not be scheduled until all estimated costs are paid. Scheduling must be coordinated with Paul Enstrom at 970-864-7311 Ext. 119. All required permitting and easements must be in place before the job can be scheduled. A completed Application for Service **MUST** be returned to SMPA before any new metered service is installed.

This is a "good faith" estimate which is used as a deposit applied towards the actual cost of the job. It is not a bid or a bill. SMPA's line extension policy requires that an applicant pay the actual cost of any line extension or conversion of the existing system. The actual cost will be determined after completion of the job. If the actual cost is less than the deposit, SMPA will refund the difference. If the actual cost is more than the deposit, SMPA will bill for the difference.

The General Service Connection and Distribution System Line Extension Policy of the Association is available at our offices. This estimate reflects those policies and provisions.

Nucla Service Planner		Ridgway Service Planner
PO Box 817 Nucla Co 81424		PO Box 1150, Ridgway CO 81432
Ph 970-864-7311		Ph 970-626-5549
Ph 970-864-5257 FAX		Fax 970-626 3013



TO: Historic and Architectural Review Commission ("HARC") Chair and the Planning and Zoning Commission ("P & Z") Chair
FROM: Ann Morgenthaler, Planner II
DATE: October 6, 2014
FOR: October 17, 2014 Review and Recommendation by the HARC Chair to the P & Z Chair
and
October 17, 2014 P&Z Chair Review
RE: Block 29, Lots I & J Minor Scale Subdivision (Replat)

PROJECT TITLE: Henry Residence – Replat

DESCRIPTION OF REQUEST: Consideration of a Minor Scale Subdivision (Replat) per LUC Section 6-403.B to combine two conforming lots, creating one 6,279 square feet lot.

OWNER: Jay and Pilar Henry

APPLICANT: Narcis Tudor Architects

ADDRESS: Address to be determined.

LEGAL DESCRIPTION: Block 29, Lots I & J, Town of Telluride (TOT)

PREVIOUS ACTION: No recent actions.

LAND USE:

- **EXISTING USE:** Vacant
- **ZONE DISTRICT:** Residential (R)
- **FLOOD HAZARD AREA:** Not located in a flood hazard area.
- **GEOLOGIC HAZARD AREA:** Not located in a geologic hazard area.
- **WETLANDS AREA:** Lots I and J are in a filled wetland area and subject to Army Corps of Engineers Permit # 9383.
- **GROUNDWATER ZONE:** Zone 2

ARCHITECTURAL/HISTORIC:

- **TREATMENT AREA:** East and West Telluride Treatment Area and River Park Corridor Overlay
- **TELLURIDE HISTORIC LANDMARK DISTRICT:** Outside of the district.
- **HISTORIC RATING:** N/A

RATED STRUCTURES IN THE IMMEDIATE VICINITY: There are few rated structures in the vicinity.

ATTACHMENTS:

- **Narrative** submitted by applicant
- **Replat** submitted by applicant (1 sheet @ 11" x 17" size)

LAND USE CODE ANALYSIS:

	<u>Lot Area</u>	<u>Frontage + Width</u>
Required in R Zone:	2,500 square feet	25 feet
Lot I:	3,139.5 square feet	25 feet
Lot J:	3,139.5 square feet	25 feet
New Lot IR:	6,279 square feet	50 feet

BACKGROUND:

Lots I and J, Block 29 are located in a filled wetland area and are subject to Army Corps of Engineers permit #9383. The permit requires a 10 feet wide landscape buffer on the west and south side of Lot I and on the south side of Lot J where development may not occur. The buffer on the west side of Lot I impedes development on the lot; when a 3 feet side setback is taken into consideration, the developable area on the lot is only 12 feet wide (25 feet wide lot – 10 foot buffer – 3 feet setback = 12 feet) . As stated in the narrative, the Applicant feels that due to the required buffer, development on Lot I would be very difficult unless the lot is combined with Lot J, and thus seeks for the lots to be combined.

Future development on the lot(s) will require an amendment to the Army Corps of Engineers permit, which restricts any alteration to the biomass (trees and wetland vegetation) and should modifications to the landscaping occur, necessitates army corps approval and an amendment to the permit to do so.

CRITERIA FOR DECISION:

The provisions of the LUC require compliance with the following criteria:

1. Compliance with the applicable requirements of the Telluride Land Use Code.
2. Compliance with the Subdivision Regulations and the Subdivision Design Criteria contained in Section 6-408 of the LUC.
3. Compliance with the Streetscape Design Standards and construction specifications.
4. Consistency with the Telluride Master Plan

Minimum Application Content

The Applicant provided the minimum application content required by section 5-202.C.

Review and Referral

- The HARC Chair will provide a review and recommendation to the P & Z Chair at the meeting on October 17, 2014.
- Building Department: No comments.
- Public Works Department: No comments.
- General Public: No comments received at the time of this memo.

Public Notice

This item was properly noticed per LUC section 5-204.B.1. The Affidavit of posting is on file with the planning department.

STAFF ANALYSIS

Staff finds that this application complies with the Subdivision Design Criteria listed in Section 6-408 of the LUC. Further, though it is not an LUC requirement, staff finds that in consideration of the limited development potential on Lot I due to the required landscape buffer, this replat would not have the effect of decreasing the number of residences that would otherwise be developed on Lots I and J if the lots were not combined.

STAFF RECOMMENDATION

The staff recommendation is contained in the proposed motions and is based upon the following findings:

Findings:

1. The application meets the applicable requirements, purpose, and intent of the Telluride Land Use Code.
2. The application is consistent with the Subdivision Regulations and the Subdivision Design Criteria contained in Section 6-408 of the LUC.
3. The application is consistent with the Streetscape Design Standards and construction specifications.
4. The application is consistent with the Telluride Master Plan.

HARC Proposed Motion:

I move to recommend to the P & Z Chair approval of the Block 29, Lots I & J, Town of Telluride minor subdivision request to combine two conforming lots, creating one 6,279 square feet lot with the findings contained in the staff memo of record and the following condition:

- 1) *Revise the final replat in accordance with redline revisions provided by Staff consistent with LUC section 6-407.*

This motion is based on evidence and testimony provided at a public hearing held on October 17, 2014, with notice of such hearing provided as required by the Telluride Land Use Code.

P & Z Proposed Motion:

I move to approve the Block 29, Lots I & J, Town of Telluride minor subdivision request to combine two conforming lots, creating one 6,279 square feet lot with the findings contained in the staff memo of record and the following condition:

- 1) *Revise the final replat in accordance with redline revisions provided by Staff consistent with LUC section 6-407.*

This motion is based on evidence and testimony provided at a public hearing held on October 17, 2014, with notice of such hearing provided as required by the Telluride Land Use Code.

August 25, 2014

LOT I&J - PROPOSED LOT IR REPLAT

HARC - P&Z Board and Staff,

Attached please find the Proposed Re-plat Application for current Lots I & J, East Telluride. Both existing Lots are subject to Army Corps of Engineers Permit # 9383 which impose a Landscape Buffer on the West and South portions of the Lots (see exhibit)

Lot I has a 10 Foot Landscape Buffer on its West and South sides and Lot J has the 10 Foot Landscape Buffer continue on its South side. Based on the Existing Easement and Setback Requirements, Lot I would be difficult, if not impossible, to build unless combined with Lot J to the East. These limiting constraints per the ACOE necessitate this application.

Due to the Existing Corner Landscape Buffer, this property has been represented as One Buildable Lot and we are taking the necessary steps to record it as such.

Our proposal vacates the center lot line, running north-south between Lot I and Lot J making this into a single Lot IR.

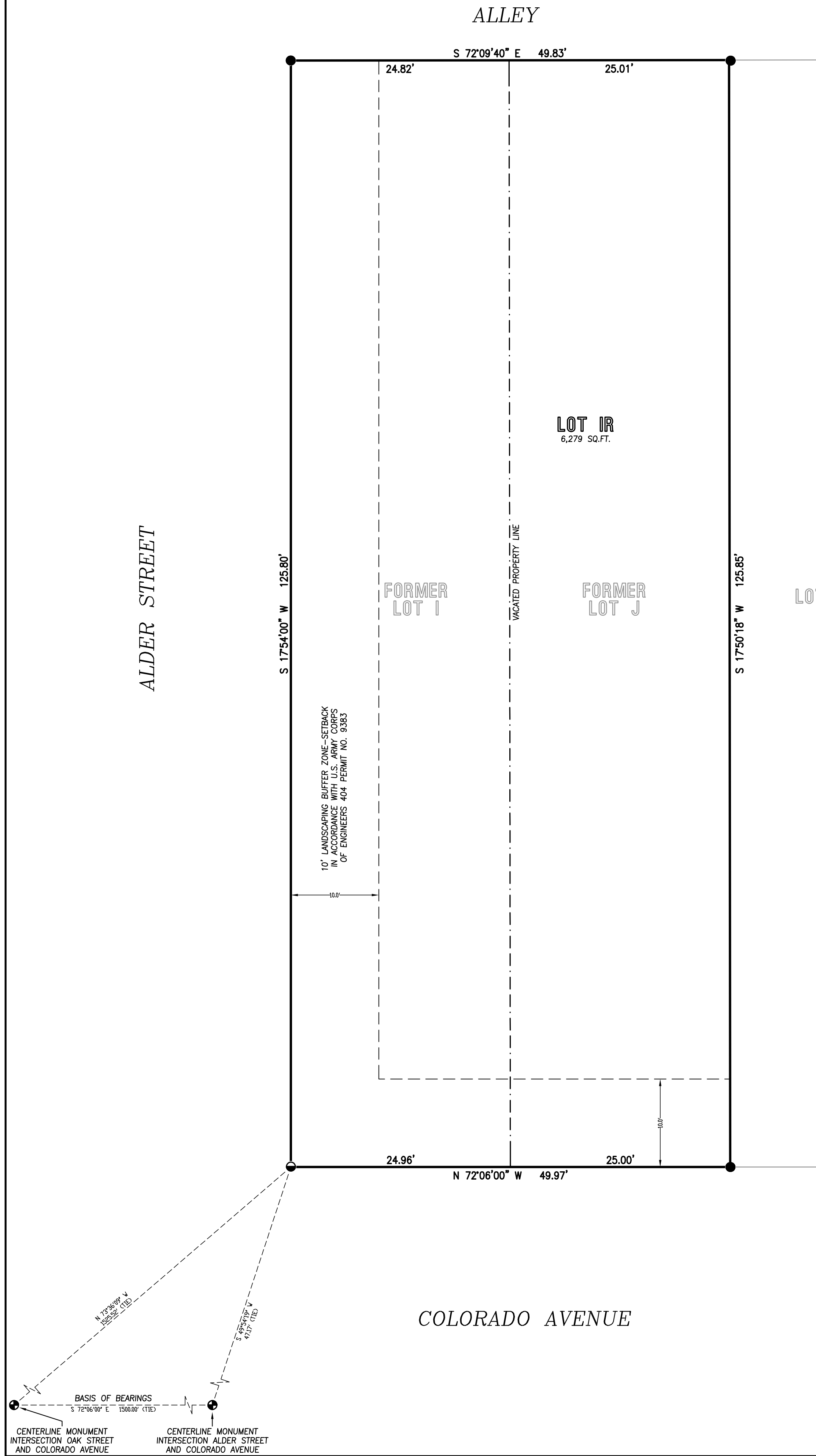
This approach will Preserve and Enhance the Existing Landscape Buffer to the South fronting Colorado Avenue and to the West fronting Alder Street.

Please review the attached exhibit and let us know if you have any questions.

Regards,

Narcis Tudor
ARCHITECT

Lot IR, The Park Block, East Telluride
A Replat of Lots I and J, The Park Block, a replat of Block 13, Town of Telluride, and Block 29, East Telluride,
located within Section 1, T.42N., R.9W., N.M.P.M., San Miguel County, Colorado.



REPLAT OWNER'S CERTIFICATE:

Definitions. As used in this Replat, the following terms are ascribed the meanings stated below.

"Design Guidelines" shall mean the duly adopted Telluride Design Guidelines, as modified or amended from time to time.

"HARC" shall mean the Telluride Historic and Architectural Review Commission.

"LUC" shall mean the duly adopted Telluride Land Use Code, as modified or amended from time to time.

"Owner" shall mean COLORADO I/J LLC a Colorado Limited Liability Company.

"Owner's Property" shall mean Lot IR, which is being replatted from Lots I and J, The Park Block, a replat of Block 13, Town of Telluride, and Block 29, East Telluride, according to the plat filed of record in the office of the Clerk and Recorder in Plat Book 1 at page 883, County of San Miguel, State of Colorado.

"Town" shall mean the Town of Telluride, Colorado.

"Town Laws" shall mean the LUC, the Design Guidelines, the Town Building Code and applicable and effective laws, regulations, charters and codes.

The owner, as the current, fee simple owner of Owner's Property, does hereby declare, state and certify that the Owner's Property will be owned, held, transferred, conveyed, sold, leased, rented, hypothecated, encumbered, used, occupied, improved, altered, maintained and enjoyed subject to the covenants, conditions, restrictions, assessments, charges, servitudes, liens, reservations, exceptions, easements, privileges, rights and other provisions set forth in this Replat, including the following terms, provisions, conditions and restrictions:

1. The Owner's Property is hereby laid out, platted and subdivided as the same is shown on this Replat, including the vacation of the original lot line between former Lot I and former Lot J.

2. The Owner's Property may be used and developed in accordance with the Town Laws made applicable to the Owner's Property and any and all site specific approvals granted to Owner for the Owner's Property.

REPLAT OWNER'S CERTIFICATE (cont.):

IN WITNESS WHEREOF, this Replat is being recorded by the Town and the Property Owners for the purposes set forth herein effective as of _____, 2014.

Property Owner: COLORADO I/J LLC a Colorado Limited Liability Company.

By: _____ Date: _____
as _____

STATE OF _____)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____ as _____ for COLORADO I/J LLC a Colorado Limited Liability Company.

Witness my hand and official seal.

Notary Public My commission expires: _____

COUNTY TREASURER'S CERTIFICATE:

I certify that according to the records in the San Miguel County Treasurer's office, there are no liens against the property included in the subdivision, or any part thereof, for unpaid State, county or municipal ad valorem taxes or special assessments certified to the County Treasurer for collection.

County Treasurer Date

PLANNING AND ZONING COMMISSION APPROVAL:

The Planning and Zoning Commission of Telluride, Colorado did hereby authorize and approve this replat of the above subdivision at a meeting of P&Z held on the _____ day of _____, A.D., 2014.

Chairperson

APPROVAL BY THE TOWN:

The within Replat of LOT IR, THE PARK BLOCK, EAST TELLURIDE, A REPLAT OF LOTS I AND J, THE PARK BLOCK, A REPLAT OF BLOCK 13, TOWN OF TELLURIDE, AND BLOCK 29, EAST TELLURIDE, is authorized and approved for filing this day of _____, 2014. The dedication of land and public ways shown hereon, if any, are accepted by the Town Council of the Town of Telluride, State of Colorado, subject to the condition that the Town shall undertake the maintenance of said public ways only after construction of said public ways has been satisfactorily completed to the Town's specifications by subdivider and a Resolution of the Telluride Town Council, Colorado accepting the same, has been adopted and placed on record.

Town of Telluride

BY: _____
Mayor

ATTEST: _____
Clerk

Approved: _____
Planning Director Town Engineer

TITLE INSURANCE CERTIFICATE:

Alpine Title Company, a Colorado licensed title company, does hereby certify that we have examined the title to the land herein shown on this Replat and that the title to this land is in the name of Michael Schultz, and is free and clear of all encumbrances, liens, taxes and special assessments except as follows:

-- Taxes for the current year, including all taxes now or heretofore assessed, due or payable.

LAND SURVEYOR'S CERTIFICATE:

I, Jeffrey C. Haskell, being a Professional Land Surveyor in the State of Colorado, do hereby certify that this plat and survey of LOT IR, THE PARK BLOCK, EAST TELLURIDE, A REPLAT OF LOTS I AND J, THE PARK BLOCK, A REPLAT OF BLOCK 13, TOWN OF TELLURIDE, AND BLOCK 29, EAST TELLURIDE, was made by me and under my direct responsibility, supervision and checking and that both are accurate to the best of my belief and knowledge. I further certify that all monuments and markers were set as required by the Town of Telluride Land Use Code and Articles 50 and 51 of Title 38, C.R.S.

Dated this _____ day of _____, 2014.

Jeffrey C. Haskell PLS# 37970

NOTES:

1. Approval of this plan shall create a vested property right pursuant to Article 68 of Title 24 C.R.S., as amended, subject to the limitations of Telluride Land Use Code Section 5-208.

2. Easement research and legal description from Alpine Title Company, File No. 348CEA, dated March 25, 2014 at 9:49 A.M.

3. NOTES OF CLARIFICATION

a. The Configuration of the following lots, tracts, and right-of-way have been modified by this plat:
None

b. The following lot has been created by this plat:
Lot IR

c. The following lots have been deleted by this plat:
Lot I and Lot J

4. SURVEY CONTROL NOTE: Property lines for this survey were projected from record onto a grid derived from that Survey of Colorado Avenue recorded in the County Surveyor's Land Plats, in Book 1 at Page 30.

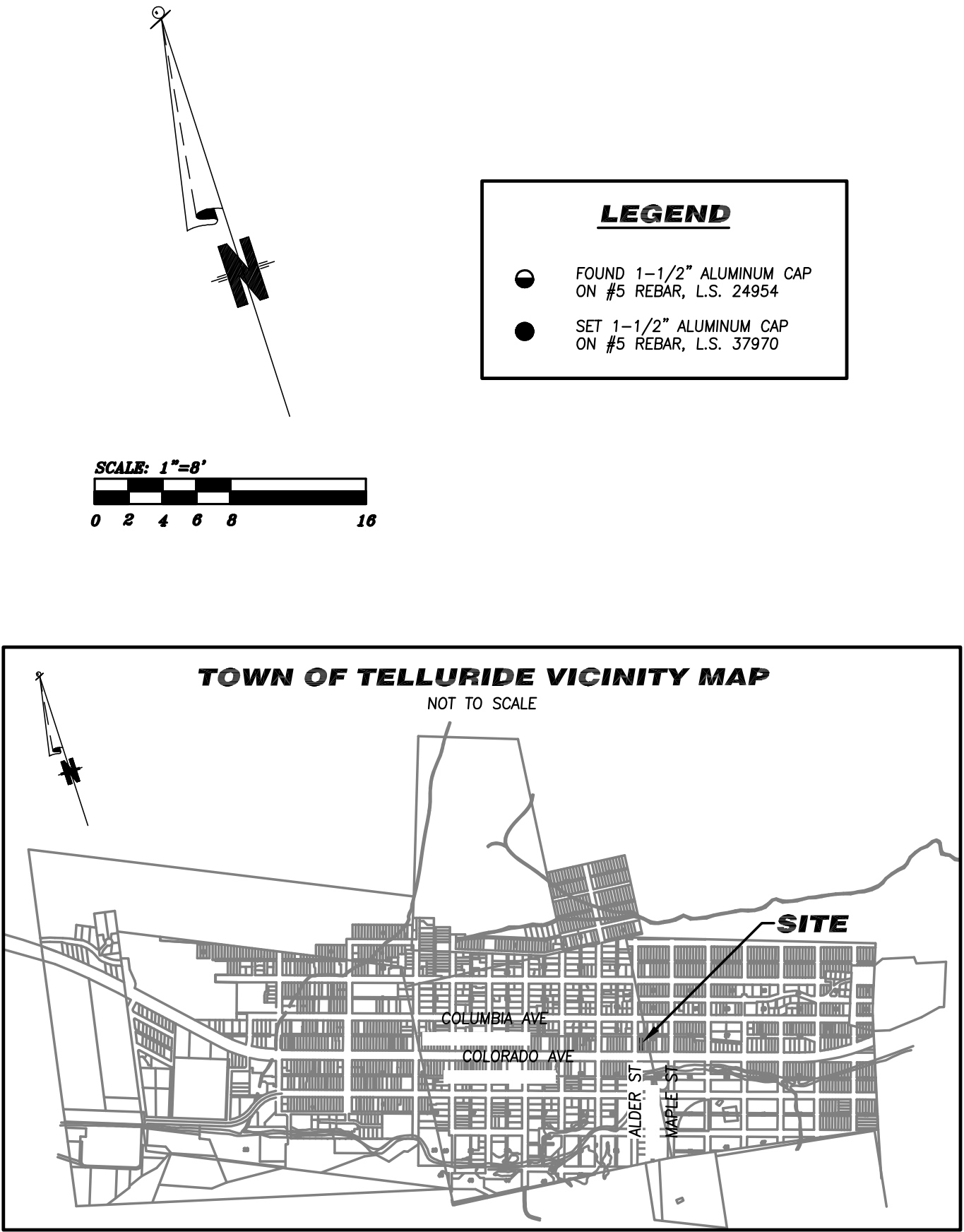
5. BASIS OF BEARINGS. Bearing from brass cap monument at the intersection of Oak Street and Colorado Avenue, L.S. 24954, to the brass cap monument at the intersection of Alder Street and Colorado Avenue, L.S. 24954, assumed as the historic bearing of S 72°06'00" E.

6. NOTICE: According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

RECORDER'S CERTIFICATE:

This Replat was filed for record in the office of the San Miguel County Clerk and Recorder on this _____ day of _____, 2014, at
Plat Book _____,
Page _____,
Reception No. _____,
Time _____.

San Miguel County Clerk



Project Mgr:	date	by
JH		
Technician:	MC	
Checked by:		
Start date:	07/24/2014	



970-728-6153 970-728-6050 fax
P.O. BOX 1385
125 W. PACIFIC, SUITE B-1
TELLURIDE, COLORADO 81435

Drawing path: dwg\REPLAT 07-14.dwg

Sheet 1 of 1 Project #: 98086